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7 Real Parties In Interest

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF LOS ANGELES

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11
12 WILLIAM TAYLOR,

13 Plaintiff,

14 vs.

15 BURBANK POLICE DEPARTMENT;
16 CITY OF BURBANK; AND DOES 1
17 THROUGH 100, INCLUSIVE,

18 Defendants.

19
20 ERIC ROSOFF,

21 Real Party in Interest

Case No. BC 422252

DECLARATION OF REAL PARTY IN
INTEREST ERIC ROSOFF IN
SUPPORT OF EX PARTE
APPLICATION FOR ORDER TO
LODGE PLAINTIFF'S *EVIDENCE*
CODE SECTION 1043 ("PITCHESS")
MOTION UNDER SEAL, AND IN
SUPPORT OF ROSOFF'S *EVIDENCE*
CODE SECTION 1045(d) MOTION
FOR A PROTECTIVE ORDER

Date: September 22, 2010

Time: 8:30 a.m.

Dept.: 50

Honorable John Shepard Wiley, Jr.

22
23 I, Eric Rosoff, declare under penalty of perjury according to the laws of the State of
24 California:

25 1. I am appearing as a Real Party in Interest in this action solely for the purpose of
26 seeking the Court's protection from the unnecessary annoyance, harassment and oppression that
27 will flow directly from the filing of plaintiff William Taylor's *Evidence Code* section 1043
28 ("Pitchess") motion in the public record.

- 1 -

DECLARATION OF LIEUTENANT ERIC ROSOFF IN SUPPORT OF EX PARTE APPLICATION

9/22

2. I make these statements from my own personal knowledge unless the contrary expressly appears. If called to testify, I would testify in conformity with this declaration.

3. I am a Lieutenant of Police from the Burbank Police Department. I have read the Plaintiff's *Evidence* Code section 1043 ("*Pitchess*") motion and supporting papers, including the so-called "STATEMENT OF FACTS" and the declaration of Christopher Brizzolara.

4. The Court can readily see that the moving papers which my counsel will endeavor to lodge under seal, contain serious accusations, albeit without any admissible proof in support. However, these accusations placed in the public record in a case where I am neither a plaintiff nor a defendant, naturally tend to stigmatize me, blacken my reputation, offend, annoy, harass and oppress me, and subject me to embarrassment and ridicule.

5. I did not and have not authorized plaintiff to reveal the contents of or information from my personnel records and I object to plaintiff revealing the purported contents of personnel files and investigations concerning me within his motion papers filed in the public record.

6. I am asking the Court to protect me from this unnecessary harm by granting the Order my counsel seeks. I have read my counsel's motion made on my behalf, and I concur in its entirety.

I declare under penalty of perjury according to the laws of the State of California that the foregoing is true and correct and that this declaration is executed at Pasadena, California on September 21, 2010.

Eric Rosoff, Declarant